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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 5 December 2005 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Finland to the United Nations presents its compliments to the Chairman of the Committee and, with reference to the latter's letter dated 10 October 2005, has the honour to transmit herewith the second report of Finland, in accordance with paragraph 4 of Security Council resolution 1540 (2004) (see annex). The Permanent Misson will provide additional information on safeguarding biological weapons in due course.

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Annex to the note verbale dated 5 December 2005 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

Finland's national report on the implementation of Security Council resolution 1540 (2004): additional information requested in letter

With reference to the letter of the Chairman of the Security Council Committee established pursuant to Resolution 1540 (2004) dated 10 October 2005, please find enclosed an amended matrix with additional information regarding Finland's implementation of Resolution 1540. Additional information is marked in the matrix in red colour. Further clarifications are provided below.

OP 1 and related matters

Finland does not possess any weapons of mass destruction. Finland's commitment to disarmament, arms control and non-proliferation was recently reiterated in the *Government's Report on Finnish Security and DefencePolicy (2004)*, which states the Government's basic position in this field.

Finland is a State Party to all international treaties listed in the section. The exact dates of deposit are provided in the matrix. In addition, Finland signed the International Convention for the Suppression of Acts of Nuclear Terrorism on 14 September 2005 and plans to ratify the Convention without delay. Finland also aims to sign and ratify the Amendments to the Convention for the Suppression of Unlawful Acts (SUA) Against the Safety of Maritime Navigation, 1988 and its related Protocol.

OP2 Nuclear Weapons

The Nuclear Energy Act (990/1987) of Finland contains general principles relating to the **peaceful use of nuclear energy**. General principle expressed in Section 4 refers to nuclear explosives. The provision stipulates that import of nuclear explosives as well as their manufacture, possession and detonation in Finland are prohibited. According to the Government's Bill for the Nuclear Energy Act, which contains the reasoning for the said Act, the provision in Section 4 is meant to prohibit the use of nuclear explosives in Finland also for peaceful purposes within the meaning of the Nuclear Non-Proliferation Treaty. Due to the international commitments arising from Treaties and Agreements which bound Finland, the prohibition expressed in the said provision covers, in addition to forms of acts explicitly expressed, also all other possible forms of acts relating to nuclear explosives. Therefore all acts relating to nuclear explosives are prohibited and punishable.

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

We are still in the process of collecting information from national authorities for this section. Further details will be provided without delay.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Finland**

Date of Report: **12 December 2005**

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks
1	General statement on non-possession of WMD	X	*Finland does not possess any WMD. Finland is committed already in the Paris Peace Treaty (1947) not tc possess, manufacture or test any nuclear weapons.*	
2	General statement on commitment to disarmament and non-proliferation	X	*"Finland is an active participant in international cooperation to prevent the proliferation of weapons of mass destruction and to promote arms control. Finland pursues disarmament and arms control objectives primarily through the EU, and promotes implementation of the EU's strategy on weapons of mass destruction also through bilateral relations." (Finnish Security and Defence Policy Report 2004)*	*Finland's commitment non-proliferation, arms control and disarmament was recently reiterated in the Finnish Security and Defence Policy Report 2004, which is the Government's basic position, setting out the principles and objectives to security and defence policy.*
3	General statement on non-provision of WMD and related materials to non-State actors	X	*Finland has a wide range of legislative measures in place to prevent the proliferation of WMD, including to non-state actors.*	
4	Biological Weapons Convention (BWC)	X	Deposit 04 February 1974	
5	Chemical Weapons Convention (CWC)	X	Deposit 07 February 1995	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 05 February 1969	
7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit 15 January 1999	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 22 September 1989	*Finland has also signed the Amendment to the CPPNM and the ratification process is ongoing*

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9	Hague Code of Conduct (HCOC)	X	Signatory of HCOC	
10	Geneva Protocol of 1925	X	Deposit 26 June 1929	
11	International Atomic Energy Agency (IAEA)	X	*Deposit 7 January 1958*	
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	EURATOM Treaty, *Signatory of the Nuclear Terrorism Convention*	*Finland also aims to sign and ratify the Amendments to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988) and its related Protocol*
14	Other Arrangements	X	1. MTRC 2. Nuclear Suppliers Group 4. Australia Group 5. Wassenaar Arrangement *6. G8 Global Partnership 7. PSI*	
15	Other	X	Supports non-proliferation clause in the EU third country mixed agreements	

OP 2 - Biological Weapons (BW)

State: **Finland**
Date of Report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Biological Weapons Act (257/1975)	X	*Penal Code (39/1889 as amended), Chapter 11, section 7b (Breach of the prohibition of biological weapons)*	
2 acquire	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7b*	
3 possess	X	*Biological Weapons Act (257/1975)*	X		
4 stockpile/store	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7b, Chapter 34, sections 4 (Health endangerment) and 5 (Aggravated health endangerment)*	
5 develop	X	*Biological Weapons Act (257/1975)*	X		
6 transport	X	Biological Weapons Act (257/1975)	X		
7 transfer	X	*Biological Weapons Act (257/1975)*	X		
8 use	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), Chapter 11, sections 1 (War Crime) and 7b, Chapter 34, sections 4 and 5*	
9 participate as an accomplice in a.m. activities	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), chapter 5, section 3 (Complicity in an offence)*	
10 assist in a.m. activities	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), chapter 5, section 6 (Abetting)*	
11 finance a.m. activities	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), Chapter 5, section 6, Chapter 34 a, section 5 (The financing of terrorism)*	

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12	a.m. activities related to means of delivery	X	*Act on the Export and Transit of Defence Materiel (242/1990 as amended), Firearms Act (1/1998 as amended), Act on the Control of Exports of Dual-Use Goods (562/1996 as amended)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7b, Act on the Export and Transit of Defence Materiel (242/1990 as amended), section 7, Firearms Act (1/1998 as amended), sections 101-104, Act on the Control of Exports of Dual-Use Goods (562/1996 as amended), section 9*
13	involvement of non-State actors in a.m. activities	X	*Biological Weapons Act (257/1975)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7b, Chapter 34 a (Terrorist offences)*
14	Other				

OP 2 - Chemical Weapons (CW)

State: Finland
Date of Report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X		X		
2	acquire	X		X		
3	possess	X	Chemical Weapons Act (346/1997 as amended)	X	*Penal Code (39/1889 as amended), Chapter 11, section 7a*	
4	stockpile/store	X		X		
5	develop	X		X		
6	transport	X		X		
7	transfer	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7a*	
8	use	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), Chapter 11, sections 1 and 7a*	
9	participate as an accomplice in a.m. activities	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), chapter 5, section 3*	
10	assist in a.m. activities	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), chapter 5, section 6*	
11	finance a.m. activities	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), Chapter 5, section 6, Chapter 34 a, section 5*	
12	a.m. activities related to means of delivery	X	*Act on the Export and Transit of Defence Materiel (242/1990 as amended), Firearms Act (1/1998 as amended), Act on the Control of Exports of Dual-Use Goods (562/1996 as amended)*	X	*Act on the Export and Transit of Defence Materiel (242/1990 as amended), section 7, Firearms Act (1/1998 as amended), sections 101-104, Act on the Control of Exports of Dual-Use Goods (562/1996 as amended), section 9*	

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13	involvement of non-State actors in a.m. activities	X	*Chemical Weapons Act (346/1997 as amended)*	X	*Penal Code (39/1889 as amended), Chapter 11, section 7a, Chapter 34 a (Terrorist offences)*
14	Other			X	*Penal Code (39/1889 as amended), Chapter 1, section 7 defines international offences which are punishable regardless of the place of commission. Decree on its application (627/1996), section 1, establishes that violation of the prohibition of chemical weapon is considered international crime.*

OP 2 - Nuclear Weapons (NW)

State: **Finland**
Date of Report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1 manufacture/produce	X	Nuclear Energy Act (990/1987 as amended)	X	Penal Code, Chapter 34, Section 6 and Chapter 34 a	*Penal Code, Chapter 34, Section 6: A person who imports, produces or detonates a nuclear device in Finland or has one in his/her possession shall be sentenced for a nuclear device offence. Penal Code, Chapter 34a, Section 2: Offences committed with terrorist intention: A person who (2) prepares, keeps in his/her possession, acquires, transports, uses or gives to another an explosive (3) acquires equipment or materials for the preparation or a nuclear explosive, shall be sentenced for preparation of an offence to be committed with terrorist intent.*
2 acquire		*Nuclear Energy Act (990/1987 as amended)*		*Penal Code, Chapter 34 and 34 a*	
3 possess	X	Nuclear Energy Act (990/1987 as amended)	X	Penal Code, Chapter 34 and Chapter 34 a	
4 stockpile/store		*Nuclear Energy Act (990/1987 as amended)*		*Penal Code, Chapter 34 and Chapter 34 a*	
5 develop		*Nuclear Energy Act (990/1987 as amended)*		*Penal Code, Chapter 34 and 34 a*	
6 transport		*Nuclear Energy Act (990/1987 as amended)*		*Penal Code, Chapter 34 and 34a*	

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7	transfer	X	Nuclear Energy Act (990/1987 as amended): nuclear devices		*Penal Code, Chapter 34 and 34a*
8	use	X	Nuclear Energy Act (990/1987 as amended): detonation	X	Penal Code, Chapter 34 and 34 a
9	participate as an accomplice in a.m. activities			X	*Penal Code, Chapter 5, Section 3 (complicity)*
10	assist in a.m. activities			X	*Penal Code, Chapter 5, Section 6 (abetting)*
11	finance a.m. activities		*Nuclear Energy Act (990/1987 as amended)*	X	Penal Code, Chapter 34 a: offences committed with a terrorist intention
12	a.m. activities related to means of delivery				*Penal Code, Chapter 34 and 34a*
13	involvement of non-State actors in a.m. activities			X	Penal Code, Chapter 34 a: offences committed with a terrorist intention
14	Other: *import*	X	*Nuclear Energy Act (990/1987 as amended)*	X	*Penal Code, Chapter 34 and 34 a*

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State: **Finland**
Date of Report:

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	*Communicable Diseases Act 583/1986 (as amended), section 10 and related decrees*	X	*Communicable Diseases Act 583/1986 (as amended), section 37, Penal Code (39/1889 as amended), chapter 44, section 2 (Health protection violation)*	
2 Measures to account for use	X		X		
3 Measures to account for storage	X		X		
4 Measures to account for transport	X	*Communicable Diseases Act 583/1986 (as amended), section 33 and related decrees, Act on Protecting Plant Health (702/2003), section 7, and related decrees, Act on Animal Diseases (55/1980 as amended) and related decrees, Act on Veterinary Border Control (1192/1996 as amended) and related decrees*	X	*Communicable Diseases Act 583/1986 (as amended), section 37, Act on Protecting Plant Health (702/2003), section 29, Act on Animal Diseases (55/1980 as amended), section 23, Act on Veterinary Border Control (1192/1996 as amended), section 27, Penal Code (39/1889 as amended), chapter 44, section 2 (Health protection violation) and chapter 46, section 4 (Smuggling)*	
5 Other measures for accounting					
6 Measures to secure production	X	*Directive 2000/54/EC, Communicable Diseases Act (583/1986 as amended), section 10 and related decrees, Act on Protecting Plant Health (702/2003) and related decrees, Act on Animal Diseases (55/1980 as amended) and related decrees*	X	*Communicable Diseases Act 583/1986 (as amended), section 37, Penal Code (39/1889 as amended), chapter 44, section 2 (Health protection violation), Act on Protecting Plant Health (702/2003), section 29, Act on Animal Diseases (55/1980 as amended), section 23*	
7 Measures to secure use	X		X		
8 Measures to secure storage	X		X		

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9	Measures to secure transport	X	*Council Directives 94/55/EEC and 96/49/EEC, Communicable Diseases Act 583/1986 (as amended), section 33 and related decrees, Act on the Transport of Dangerous Goods (719/1994 as amended) and related decrees, Act on Protecting Plant Health (702/2003) and related decrees, Act on Animal Diseases (55/1980 as amended) and related decrees, Act on Veterinary Border Control (1192/1996 as amended) and related decrees*	X	*Act on the Transport of Dangerous Goods (719/1994 as amended), chapter 6, Act on Protecting Plant Health (702/2003), section 29, Act on Animal Diseases (55/1980 as amended), section 23, Act on Veterinary Border Control (1192/1996 as amended), section 27, Penal Code (39/1889 as amended), chapter 44, section 2 (Health protection violation); chapter 44, section 13 (Transport of dangerous substances offence) and chapter 46, section 4 (Smuggling). Finland is party to ADR and RID agreements*
10	Other measures for securing				
11	Regulations for physical protection of facilities/materials/ transports	X	*Act on the Transport of Dangerous Goods (719/1994 as amended) and related decrees*		*Act on the Transport of Dangerous Goods (719/1994 as amended), chapter 6, Penal Code (39/1889 as amended), chapter 44, section 13 (Transport of dangerous substances offence)*
12	Licensing/registration of facilities/persons handling biological materials	X	*Directive 2000/54/EC, Communicable Diseases Act 583/1986 (as amended), section 10 and related decrees, Act on Protecting Plant Health (702/2003), chapter 2, Act on Animal Diseases (55/1980 as amended) and related decrees*	X	*Communicable Diseases Act 583/1986 (as amended), section 37, Penal Code (39/1889 as amended), chapter 44, section 2 (Health protection violation), Act on Protecting Plant Health (702/2003), section 29, Act on Animal Diseases (55/1980 as amended), section 23*
13	Reliability check of personnel				
14	Measures to account for/secure/ physically protect means of delivery	X	Firearms Act (1/1998)	X	*Firearms Act (1/1998 as amended), sections 101-104*
15	Regulations for genetic engineering work	X	*Gene Technology Act (377/1995), Directive 90/219/EEC, Directive 2001/18/EC*	X	*Gene Technology Act (377/1995 as amended), section 42, Penal Code (39/1889 as amended), chapter 34, section 4 (Health Endangerment), chapter 44, section 9 (Genetic Technology Offence)*

16	Other legislation/ regulations related to safety and security of biological materials	X	Directive 89/391/EC		
17	Other			X	*National reporting system for human infectious diseases established by the Act on Communicable Diseases (583/1986 as amended), section 23, and for animal infectious diseases by Act on Animal Diseases (55/1980 as amended), section 6. National Public Health Institute maintains the National Infectious Diseases Register according to the Act on Communicable Diseases, sections 6, 23 and 23a. The Finnish Defence Forces and the National Public Health Institute have established a Centre for Excellence for Biological Preparedness n 2005*

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State: Finland
Date of Report: 5 December 2005

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	*Decree on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on the entry into force of the Act on the Approval of Certain Provisions of the Convention (348/1997 as amended) requires industries to report to the National Authority on all production, treatment, consumption, export and import of CWC-listed chemicals.*	X	*Penal Code (39/1889 as amended), chapter 16, section 8 (Providing false documents to a public authority)*	
2 Measures to account for use	X		X	*see above*	
3 Measures to account for storage	X		X	*see above*	
4 Measures to account for transport	X	*see above*	X	*see above*	
5 Other measures for accounting	X	*Act on the Approval of Certain Provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on its Application (346/97 as amended) authorises the Ministry for Foreign Affairs to order an inspection at a chemical facility. Decision of the Ministry for Foreign Affairs on the performance of duties related to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (1216/97) entitles the National Authority to propose such an inspection to the Ministry.*			

6	Measures to secure production	X	Chemicals Act (744/1989 as amended), Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005), Directive 98/42/EC		Chemicals Act (744/1989 as amended), chapter 10, Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005), chapter 15,Penal Code (39/1889 as amended), chapter 34 (Endangerment), chapter 44 (Offences endangering health and safety)
7	Measures to secure use	X			*see above*
8	Measures to secure storage	X			*see above*
9	Measures to secure transport	X	*Act on the Transport of Dangerous Goods (719/1994 as amended) and related decrees,* Council Directives 94/55/EEC and 96/49/EEC	X	*Act on the Transport of Dangerous Goods (719/1994 as amended), chapter 6, Penal Code (39/1889 as amended), chapter 44, section 13 (Transport of dangerous substances offence), Finland is party to ADR and RID agreements*
10	Other measures for securing				
11	Regulations for physical protection of facilities/materials/ transports	X	*Chemicals Act (744/1989 as amended), Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005)*	X	*Chemicals Act (744/1989 as amended), chapter 10, Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005), chapter 15, Penal Code (39/1889 as amended), chapter 44 (Offences endangering health and safety)*
12	Licensing of chemical installations/entities/use of materials	X	*Chemicals Act (744/1989 as amended), Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005), Decree on the Industrial Handling and Storage of Dangerous Chemicals (59/1999 as amended)*	X	*Chemicals Act (744/1989 as amended), chapter 10, Act on the Safe Handling on Dangerous Chemicals and Explosives (390/2005), chapter 15, Penal Code (39/1889 as amended), chapter 16, section 7 (Registration offence), section 8 (Providing false documents to a public authority)*
13	Reliability check of personnel				

14	Measures to account for/secure/ physically protect means of delivery	X	Firearms Act (1/1998 as amended)		*Firearms Act (1/1998 as amended), sections 101-104*
15	National CWC authority	X	*Act 346/97 as amended establishes the Finnish Institute for Verification of the Chemical Weapons Convention at the University of Helsinki (VERIFIN) as the National Authority. Decree 348/97 and Ministry for Foreign Affairs decision 1216/1997 further specify its tasks.*		
16	Reporting Schedule I, II and III chemicals to OPCW		*Data collection and reporting by the National Authority is based on Act 346/97, Decree 348/1997 and Ministry for Foreign Affairs decision 1216/1997.*		*Penal Code (39/1889 as amended), chapter 16, section 8 (Providing false documents to a public authority)*
17	Account for, secure or physically protect old chemical weapons		*None on national territory*		
18	Other legislation/ regulations controlling chemical materials	X	*Environmental Protection Act (86/2000 as amended), Health Protection Act (86/2000 as amended), Waste Act (1072/1993 as amended), Occupational Safety and Health Act (738/2002 as amended), Act on Safety of Consumer Products and Consumer Services (75/2004 as amended), Rescue Act (468/2003 as amended), Pesticides Act (264/1961 as amended)*	X	*Penal Code (39/1889 as amended)*
19	Other			X	*National Authority has created a national database on industries involved in activities relevant to CWC. National Authority crosschecks data received from industries with customs statistics and, if needed, with national authorities of other CWC States Parties.*

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State: **Finland**
Date of Report:

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	Nuclear Energy Act (990/1987) as amended, Sections 3 and 8 *and 63; Nuclear Energy Degree (161/1987) as amended Section 118 establishes a national nuclear accounting and control system. Commission Regulation (Euratom) 302/2005.*	X		
2 Measures to account for use	X		X		
3 Measures to account for storage	X		X	*Penal Code, Chapter 44*	
4 Measures to account for transport	X		X		
5 Other measures for accounting	X	1. Nuclear Energy Act (990/1987) as amended, Section 3 and 8 - possession, handling, *transfer* 2. Council Directives 2003/122/EURATOM 3. Directive 96/29/EURATOM	X	*Penal Code, Chapter 44*	
6 Measures to secure production	X				
7 Measures to secure use	X	Nuclear Energy Act (990/1987) as amended, Section 3, 8 and 9	x	*Penal Code, Chapter 44*	
8 Measures to secure storage	X				
9 Measures to secure transport	X	1. Council Directives 94/55/EEC and 96/49/EEC 2. Nuclear Energy Act (990/1987) as amended, Section 3 and 8	X	Directive 92/3 EURATOM: prior notification of shipments. *Penal Code, Chapter 44*	
10 Other measures for securing	X	Nuclear Energy Decree, Section 129-130 - licence holder has the obligation to appoint a person responsible for nuclear material control *and physical protection* of the nuclear facility	X	*Penal Code, Chapter 44*	

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11	Regulations for physical protection of facilities/materials/ transports	X	1. Nuclear Energy Act (990/1987) as amended, Section 9 2. Decision of the State Council (396/1991)	X	Assurance of physical protection measures is an obligation of each licence-holder
12	Licensing of nuclear installations/entities/use of materials	X	Nuclear Energy Act (990/1987 as amended), Sections 3, 8 and 9 *and Chapter 5*	X	*Penal Code, Chapter 44*
13	Reliability check of personnel	X	*Decision of the state council (396/1991) (relevant for nuclear power plant personnel)*	x	*Penal Code, Chapter 44*
14	Measures to account for/secure/ physically protect means of delivery	X	Firearms Act (1/1998)		
15	National regulatory authority	X	Radiation and Nuclear Safety Authority - STUK *(Nuclear Energy Act, Section 63 and* Nuclear Energy Decree, Section 118)		
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement: *In force since 9 february 1972* 2. Additional Protocol in force on 30 April 2004		
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	*Expressed support to the IAEA DG in 2004*		
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	*Participation in the IAEA reporting system system since 1996*		
19	Other Agreements related to IAEA				
20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	*STUK's Guides: YVL 6.5 Transport of nuclear material and nuclear waste; YVL 6.9 The national system of accounting for and control of nuclear material; YVL 6.10 Report to be submitted on nuclear materials. Finland has also signed the Amendment to the CPPNM and the ratification process is ongoing.*		
21	Other				

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of BW including Related Materials

State: **Finland**
Date of Report:

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Act on the Control of Export of Dual-Use Goods (562/1996), Section 7 2. Customs Act (1466/1994) 3. Community Customs Code EC 2913/92) 4. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 5. Maritime Security Measures Act 2004	X	1. Finnish Customs 2. Frontier Guard 3. Maritime Administration 4. Police 5. Penal Code (39/1889), Chapter 46, Sections 1-3 6. Customs Act (1466/1994)	
2 Technical support of border control measures			X	1. Common IT systems are being developed for intelligence and investigation purposes *2. Fixed X-ray inspection system at Vaalimaa since 2000 3. Two mobile X-ray units (2005) 4. Relocatable X-ray unit in Helsinki port (2006).*	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	*The issue of brokering of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.* 1.Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	X	1.Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	

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4 Enforcement agencies/authorities			X	1. MFA's Department of External Economic Relations 2. Information on transport of suspicious items exchanged between national and international law enforcement agencies 3. Finnish Customs	
5 Export control legislation in place	X	1. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002) 2. Act on the Control of Exports of Dual-Use Goods (562/1996) 3. Council Regulation (EC) 1334/2000 4. Government Decree on the Control of Export of Dual-Use Goods (924/2000)	X	1.Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990), Section 7 4. Customs Act (1466/1994)	
6 Licensing provisions	X				
7 Individual licensing	X	1. Act on the Control of Exports of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)			page 10 of the report
8 General licensing	X	*Council Regulation (EC) N:o 1334/2000, Annex 2: General Community Export Authorisation (dual-use goods). For the time being, Finland does not have national general authorisations in use.*			
9 Exceptions from licensing	X	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004			
10 Licensing of deemed export/visa	X	*Visa: The entry into and residence in Finland of foreign nationals is subject to the provisions of the Finnish Aliens Act and Aliens Decree and the Schengen Agreement and Convention*			
11 National licensing authority	X	MFA's Department of External Economic Relations			

12 Interagency review for licenses	X	1. Advisory Board on Export Control under the Ministry for Foreign Affairs 2. Advisory Committee for Export of Defence Material under the Ministry of Defence			
13 Control lists	X	*Council Regulation (EC) N:o 1334/2000, Annex I*			
14 Updating of lists	X	Update the control lists			
15 Inclusion of technologies	X	Council Regulation (EC) No. 1504/2004			
16 Inclusion of means of delivery	X				
17 End-user controls	X	Act on the Control of Export of Dual-Use Goods	X	Act on the Control of Export of Dual-Use Goods	
18 Catch all clause	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
19 Intangible transfers	X	*Act on the Control of Export of Dual-Use Goods (562/1996), EC 1334/2000, Council Joint Action 2000/401/CFSP*			
20 Transit control	X	*The issue of transit of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.* 1. Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material 242/1990 as amended 900/2002	X	International Convention on the Harmonization of Frontier Controls of Goods - gives the Customs the right to control goods in transit	
21 Trans-shipment control	X	*The issue of transhipment of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.*			
22 Re-export control	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
23 Control of providing funds	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
24 Control of providing transport services	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			

25	Control of importation	X	*Biological Weapons Act (257/1975)*
26	Extraterritorial applicability	X	Act on the Export and Transit of Defence Material 242/1990 as amended 900/2002
27	Other		

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OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of CW including Related Materials

State: **Finland**
Date of Report:

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Act on the Control of Export of Dual-Use Goods (562/1996), Section 7 2. Customs Act (1466/1994) 3. Community Customs Code EC 2913/92) 4. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 5. Maritime Security Measures Act 2004	X	1. Finnish Customs 2. Frontier Guard 3. Maritime Administration 4. Police 5. Penal Code (39/1889), Chapter 46, Sections 1-3 6. Customs Act (1466/1994)	
2 Technical support of border control measures			X	1. Common IT systems are being developed for intelligence and investigation purposes *2. Fixed X-ray inspection system at Vaalimaa since 2000 3. Two mobile X-ray units (2005) 4. Relocatable X-ray unit in Helsinki port (2006)*	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	*The issue of brokering of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council (EC) regulation 1334/2000.* 1.Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	X	1.Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	

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4 Enforcement agencies/authorities			X	1. MFA's Department of External Economic Relations 2. Information on transport of suspicious items exchanged between national and international law enforcement agencies 3. Finnish Customs	page 3 and 10 of the report
5 Export control legislation in place	X	1. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002) 2. Act on the Control of Exports of Dual-Use Goods (562/1996) 3. Council Regulation (EC) 1334/2000 4. Government Decree on the Control of Export of Dual-Use Goods (924/2000)	X	1.Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990), Section 7 4. Customs Act (1466/1994)	
6 Licensing provisions	X				
7 Individual licensing	X	1. Act on the Control of Exports of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)			
8 General licensing	X	*Council Regulation (EC) N:o 1334/2000, Annex 2: General Community Export Authorisation (dual-use goods). For the time being, Finland does not have national general authorisations in use.*			
9 Exceptions from licensing	X	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004			
10 Licensing of deemed export/visa	X	*Visa: The entry into and residence in Finland of foreign nationals is subject to the provisions of the Finnish Aliens Act and Aliens Decree and the Schengen Agreement and Convention*			
11 National licensing authority	X	MFA's Department of External Economic Relations			

12 Interagency review for licenses	X	1. Advisory Board on Export Control under the Ministry for Foreign Affairs 2. Advisory Committee for Export of Defence Material under the Ministry of Defence		
13 Control lists	X	*Council Regulation (EC) N:o 1334/2000, Annex I*		
14 Updating of lists	X	Update the control lists		
15 Inclusion of technologies	X	Council Regulation (EC) No. 1504/2004		
16 Inclusion of means of delivery	X			
17 End-user controls	X	Act on the Control of Export of Dual-Use Goods (562/1996)	X	Act on the Control of Export of Dual-Use Goods (562/1996)
18 Catch all clause	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*		
19 Intangible transfers	X	*Act on the Control of Export of Dual-Use Goods (562/1996), EC 1334/2000, Council Joint Action 2000/401/CFSP*		
20 Transit control	X	*The issue of transit of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council (EC) regulation 1334/2000.* 1. Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material 242/1990 as amended 900/2002	X	International Convention on the Harmonization of Frontier Controls of Goods - gives the Customs the right to control goods in transit
21 Trans-shipment control	X	*The issue of transhipment of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.*		
22 Re-export control	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*		
23 Control of providing funds	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*		

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24 Control of providing transport services	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*
25 Control of importation	X	*Chemical Weapons Act (346/1997 as amended), Decree 348/97*
26 Extraterritorial applicability	X	Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)
27 Other		

OP 3 (c) and (d) and related matters from OP 6, and OP 10 - Controls of NW including Related Materials

State: **Finland**
Date of Report:

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Act on the Control of Export of Dual-Use Goods (562/1996), Section 7 2. Customs Act (1466/1994) 3. Community Customs Code EC 2913/92) 4. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 5. Maritime Security Act 2004 *6. Nuclear Energy Act Section 115 and 115b*	X	1. Finnish Customs 2. Frontier Guard 3. Maritime Administration 4. Police 5. Penal Code (39/1889), Chapter 46, Sections 1-3 6. Customs Act (1466/1994)	
2 Technical support of border control measures			X	1. Common IT systems are being developed for intelligence and investigation purposes *2. Stationary radiation monitors* 3. Introduction of two mobile X-ray units in 2005 to assist Customs	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	*The issue of brokering of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council (EC) regulation 1334/2000.* 1.Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	X	1.Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	

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4 Enforcement agencies/authorities			X	1. MFA's Department of External Economic Relations 2. Information on transport of suspicious items exchanged between national and international law enforcement agencies 3. Finnish Customs. 4. Radiation and Nuclear Safety Authority (STUK) under the Ministry of Trade and Industry
5 Export control legislation in place	X	1. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002) 2. Nuclear Energy Act (990/1987) as amended	X	1. Penal Code, Chapter 46, Sections 1-3; *Chapter 44* 2. Act on the Export and Transit of Defence Material (242/1990 as amended), Section 7
6 Licensing provisions	X	3. Act on the Control of Exports of Dual-Use Goods (562/1996) 4. Council Regulation (EC) 1334/2000		3. Act on the Control of Dual-Use Goods (562/1996) 4. Customs Act (1466/1994) 5. Nuclear Energy Act (990/1987) as amended
7 Individual licensing	X	Act on the Control of Export of Dual-Use Goods (562/1996)		
8 General licensing	X	*Council Regulation (EC) N:o 1334/2000, Annex 2: General Community Export Authorisation (dual-use goods). For the time being, Finland does not have national general authorisations in use.*		
9 Exceptions from licensing	X	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
10 Licensing of deemed export/visa	X	*Visa: The entry into and residence in Finland of foreign nationals is subject to the provisions of the Finnish Aliens Act and Aliens Decree and the Schengen Agreement and Convention*		

11	National licensing authority	X	1. Radiation and Nuclear Safety Authority (STUK) under the Ministry of Trade and Industry (MTI) 2. MFA's Department of External Economic Relations		
12	Interagency review for licenses	X	1. Advisory Board on Export Control under the Ministry for Foreign Affairs 2. Advisory Committee for Export of Defence Material under the Ministry of Defence		
13	Control lists	X	*Council Regulation (EC) N:o 1334/2000, Annex I*		
14	Updating of lists	X	Update the control lists		
15	Inclusion of technologies	X	Nuclear Energy Act (990/1987), Sections 3 and 8		
16	Inclusion of means of delivery	X	Council Regulation (EC) No. 1504/2004		
17	End-user controls	X	Act on the Control of Export of Dual-Use Goods (562/1996)	X	Act on the Control of Export of Dual-Use Goods (562/1996)
18	Catch all clause	x	*Act on the Control of Export of Dual-Use Goods (562/1996)*		
19	Intangible transfers	X	Nuclear Energy Act (990/1987) - technology and software, *Act on the Control of Export of Dual-Use Goods (562/1996), EC 1334/2000, Council Joint Action 2000/401/CFSP*		
20	Transit control	X	*The issue of transit of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.* 1.Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002) 3. Nuclear Energy Act (990/1987 as amended)	X	International Convention on the Harmonization of Frontier Controls of Goods - gives the Customs the right to control goods in transit

21 Trans-shipment control	X	*The issue of transhipment of dual-use goods is currently under study and an appropriate control will be implemented by amending the Council regulation 1334/2000.*			
22 Re-export control	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
23 Control of providing funds	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
24 Control of providing transport services	X	*Act on the Control of Export of Dual-Use Goods (562/1996)*			
25 Control of importation	X	Nuclear Energy Act (990/1987)	X	Penal Code, Chapter 34	
26 Extraterritorial applicability	X	Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)			
27 Other					

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State: **Finland**
Date of Report:

Can information be provided on the following issues ?	YES		Remarks
1 Control lists - items (goods/ equipment/ materials/ technologies)	X	EC Regulation 1334/2000	
2 Control lists - other			
3 Assistance offered	X	Committed to provide assistance or advise to others where appropriate, in response to specific requests	
4 Assistance requested			
5 Assistance in place (bilateral/plurilateral/multilateral)	X	Bilateral, regional and multilateral support and cooperation programs in place: 1. Bilateral support and assistance to improve systems for nuclear material control, accountancy, physical protection and export/import control 2. Bilateral cooperation programme to prevent illicit trafficking and to protect nuclear material 3. Offered training in analytical chemistry to help implementation of CWC in developing countries 4. Participates in the G8 Global Partnership Programme for the destruction of CW 5. Organized a Border Management seminar for Central Asian countries	*Offered also training in CTBT international monitoring system to help developing countries to carry out the obligations of the Treaty*
6 Information for industry	X	Inform exporters on regular basis in order to promote compliance. Authorities have close working relationship with industries. Technologies industries have a representative at the advisory board for export control	
7 Information for the public	X	Update infromation on export control is disseminated throught governmental websites, publications, seminars and workshops	